

## REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and the following remarks.

### Rejections under 35 U.S.C. § 103

The Office rejected Claims 1-7 and 15-28 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0072997 to Colson et al. (Colson) in view of U.S. Patent Application No. 2001/0047362 to Comroe (Comroe).

These rejections are respectfully traversed.

### Claims 1 and 15

Without conceding the propriety of the rejections, and in the interest of expediting allowance of this application, the Applicants have amended independent Claims 1 and 15 to clarify that the method and system for augmenting an internal library with published submissions comprises: “downloading the abstract … at a first *searchable library website*”, “downloading the published submission … at a second *searchable library website*” and “wherein the first and second searchable library websites are *exclusive to the employer*”. (Emphasis added).

First, Closon does not teach or suggest “*wherein the first and second searchable library websites are exclusive to the employer*” as recited by Claims 1 and 15. (Emphasis added)

Colson discloses that “the method and system of the present invention allow(s) for publishing searchable documents … for establishing the existence of an on sale bar … to prevent others from obtaining patent protection …” (Paragraph 0008) Colson further discloses “receiving the product document and adding the product document to the [publicly accessible] database” and “the computer system being operable to receive a

product document ... and add the product document to the *[publicly accessible database.]* (Paragraph 0009) Thus, Colson discloses that the product documents are published on a *publicly accessible database* for the purpose of establishing a 102(b) on sale bar. (Emphasis added). Therefore, Colson's disclosure and intent are contrary to that of the Applicants. Comroe fails to cure the deficiency of Colson.

Second, Closon does not teach or suggest “*locating an abstract for a published submission on a technical society website*” as recited by Claims 1 and 15. (Emphasis added)

Colson discloses that “a search engine...searches the *product document database*... allowing the user access to the *product documents...and receiving a product document* and adding the *product document to the database*” (Paragraph 0009) Colson further discloses that “the present invention allows for *publishing searchable documents (hereinafter product documents) providing information about commercially available products...*” (Paragraph 0008) (Emphasis added) Thus, Colson discloses locating a *product document* which provides information about *commercially available products*. Colson does not disclose “*locating an abstract for a published submission on a technical society website*” as recited by Claims 1 and 15. Comroe again fails to cure the deficiency of Colson.

Finally, Comroe does not teach or suggest *embedding a hyperlink to the second searchable website into the abstract, the hyperlink being configured to display the published submission when invoked*, as recited by Claims 1 and 15. (Emphasis added)

The Office conceded that “*Colson does not disclose embedding the hyperlink in the abstract for the full text explicitly as claimed*. Comroe teaches the hyperlink being embedded in the title for the full text document. (Emphasis added) (Office Action page 5 and 8) The Office further stated that “*It would be inherent that the hyperlink can be*

*embedded in the abstract for the full text to the article.”* (Office Action page 5 and 8)  
(Emphasis added)

Applicants respectfully disagree. “To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill.” MPEP § 2112 (IV). To be inherent the feature must be unable to be considered separately from the thing being described because it is an innate part of that thing.

Comroe discloses that a “web page is displayed with the title and abstract of every matching article. The *title of each article is formatted to link to the full text of the article*”. (Paragraph 0050) (Emphasis added) There is nothing in Comroe to suggest that embedding a hyperlink to the second searchable website into the abstract is an inherent part of Comroe’s web page. Embedding a hyperlink into the abstract, as the Office suggests, would be duplicative of the hyperlink in the title. This duplication would confuse users and if the hyperlink’s address were to move or be deleted the website administer would be required to update both of the hyperlinks. Thus, a website administrator, of ordinary skill in the art, would not implement multiple hyperlinks to the same data, particularly if they were adjacent to one another on the same web page.

Accordingly, Applicants respectfully submit that Claims 1 and 15 are allowable over Closon and Comroe, whether taken alone or in combination (assuming, for the sake of argument, that the references can even be combined in the manner set forth in the Office Action).

### **Claims 2-7 and 22-28**

Claims 2-7 and 16-28 depend from independent Claims 1 and 15 and are also allowable at least due to their dependency from Claims 1 and 15.

**Conclusion**

Applicants respectfully submit that Claims 1-7 and 15-28 are in condition for allowance. Applicants respectfully request reconsideration and issuance of a notice of allowability. Should any matter in this case remain unresolved, the undersigned respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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